



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Order Filed on March 22, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

Francis J. Gillen,

Debtor.

Case No.: 17-11990 ABA

Adv. No.:

Hearing Date: 3/29/2017 @ 9:00 a.m..

Judge: Andrew B. Altenburg Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: March 22, 2018**



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Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, BANK OF AMERICA, N.A., Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 4 Kenneth Court, Sewell, NJ, 08080, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Seymour Wasserstrum, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 13, 2018, including arrears only through January 31, 2018, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due October 2017 through January 2018 for a total post-petition default of \$8,724.50, (4 @ \$2,850.90; less suspense of \$2,679.10); and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make payments per trial modification beginning February 1, 2018; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the trial loan modification; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the loan modification is unsuccessful, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that the Creditor does not waive it's rights to any pre- or post-petition arrears in the even a loan modification is unsuccessful, or if any payment is more than 30 days late; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.